

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2005:

---

Present

Vote

James S. Burgett, Chairman  
Walter C. Zaremba, Vice Chairman  
Sheila S. Noll  
Kenneth L. Bowman  
Thomas G. Shepperd, Jr.

---

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL  
USE PERMIT TO AUTHORIZE A DETACHED ACCESSORY  
APARTMENT AT 406 OLD LAKESIDE DRIVE

WHEREAS, Mark and Kathleen Barker have submitted Application No. UP-685-05 to request a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, to authorize a detached accessory apartment in conjunction with a single-family detached dwelling on a 0.93-acre parcel of land located at 406 Old Lakeside Drive (Route 1554) and further identified as Assessor's Parcel No. 30K-1-3B (GPIN #T06A-2295-4108); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of the accessory apartment; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2005, that Application No. UP-685-05 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, establishing a detached accessory apartment in conjunction with a single-family detached dwelling on a 0.93-acre parcel of land located at 406 Old Lakeside Drive (Route 1554) and further identified as Assessor's Parcel No. 30K-1-3B (GPIN #T06A-2295-4108) subject to the following conditions:

1. This use permit shall authorize a detached accessory apartment in conjunction with a single-family detached dwelling to be contained in a proposed detached structure on a 0.93-acre parcel of land located at 406 Old Lakeside Drive (Route 1554) and further identified as Assessor's Parcel No. 30K-1-3B (GPIN #T06A-2295-4108).
2. The apartment shall be contained within a proposed structure located on the southern side of the subject property as indicated on the sketch plan submitted by the applicant titled "406 Old Lakeside Drive" prepared by York County Geographic Information Systems, Division of Computer support Services, Department of Financial & Management Services and received by the Planning Division on September 28, 2005.
3. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
4. Habitable floor area of the accessory apartment unit shall not contain in excess of 795 square feet.
5. The accessory apartment unit shall contain no more than one (1) bedroom.
6. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
7. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling.
8. The minimum building setback from the rear property line shall be thirty feet (30').
9. In accordance with Section 24.1-407(k) of the County Zoning Ordinance, prior to issuance of a building permit for the accessory apartment, the applicant shall be responsible for recording a deed restriction document with the Clerk of the Circuit Court stipulating that the subject accessory apartment will be used, occupied and maintained in accordance with standards and restrictions set forth in

Section 24.1-407 of said Ordinance. A Court-certified copy of the document shall be submitted to the County at the time of building permit application.

10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the Resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval or issuance of a Certificate of Occupancy, whichever occurs first.